

SPSO decision report



Case: 202412046, Scottish Prison Service
Sector: Prisons
Subject: Removal from association / segregation
Decision: upheld, recommendations

Summary

C complained that the Scottish Prison Service (SPS) failed to follow the appropriate procedure after they removed C from association (temporarily separated from the normal prison population. A Governor can order a prisoner be segregated from others for up to 72 hours if they believe it is in the interests of good order in the prison or for the prisoner's or others' safety.

In response to C's complaints, the SPS said that C's removal from association had been authorised in line with relevant procedure.

We found that the decision to remove C from association was carried out in line with the relevant procedure authorised by Prison Rules. However, the SPS did not properly record the actions taken. These omissions could make it appear that C was held out of association without proper authorisation.

Accurate record-keeping is important, especially for decisions to remove a prisoner from association, because it ensures that any time spent under specific rules is clearly recorded and monitored. We upheld C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for the failing identified. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/meaningful-apologies.

What we said should change to put things right in future:

- The SPS should remind staff of the importance of accurately recording information regarding a prisoner's removal from association to ensure any periods held under specific rules are clearly documented and monitored. The SPS should also consider whether issuing of guidance or instruction for the circumstances described in this case is required.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.